

State of South Dakota

SEVENTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2003

655I0052

SENATE JUDICIARY COMMITTEE ENGROSSED NO.

SB 8 - 02/03/2003

Introduced by: Senators Moore, de Hueck, Ham, Kleven, Koskan, and Nachtigal and
Representatives Hennies, Konold, Madsen, Murschel, Van Gerpen, and Wick
at the request of the Interim Juvenile Offenses and Sentencing Committee

1 FOR AN ACT ENTITLED, An Act to reconstitute the Juvenile Justice and Delinquency Act
2 Advisory Group and to revise its authority and responsibilities.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 1-15-28 be amended to read as follows:

5 1-15-28. The Department of Corrections shall be responsible, through the ~~state advisory~~
6 ~~group~~ Council of Juvenile Services established in § 1-15-29, for supervising the preparation and
7 administration of the state's plan required by Section 223(a) for participation in the formula
8 grants program of the Act. The Department of Corrections shall be responsible for providing
9 staff and support services to the ~~state advisory group~~ Council of Juvenile Services and
10 implementing the plan in a manner which will ensure compliance with Sections 223(a)(12), (13),
11 and (14) of the Act. The department shall seek necessary authority and take all necessary action
12 as provided by law to enforce compliance with the Act.

13 Section 2. That § 1-15-29 be amended to read as follows:

14 1-15-29. There is hereby established a twenty-member ~~state advisory group~~ Council of



1 Juvenile Services to be appointed by the Governor and shall be comprised of individuals who
2 have training, experience, or special knowledge of juvenile delinquency prevention or treatment
3 or of the administration of juvenile justice. The membership of the ~~advisory group~~ Council of
4 Juvenile Services shall comply with Section 223(a)(3) of the Juvenile Justice and Delinquency
5 Act. The initial members to be appointed shall draw lots to determine who will hold the eight
6 three-year terms, the six two-year terms, and the six one-year terms. Thereafter, each member
7 shall serve ~~terms~~ a term of three years. Members may be reappointed and may continue to serve
8 an expired term until replaced by the Governor. A chairperson, who may not be a full-time
9 federal, state, or local employee, for the ~~advisory group~~ Council of Juvenile Services shall be
10 chosen annually by a majority vote of its members at the first meeting each fiscal year.

11 Section 3. That § 1-15-30 be amended to read as follows:

12 1-15-30. The ~~state advisory group~~ Council of Juvenile Services shall be responsible for the
13 following:

- 14 (1) In conjunction with the secretary of the Department of Corrections, establish policy
15 on how the formula grants program of the Juvenile Justice and Delinquency Act is to
16 be administered in South Dakota;
- 17 (2) Approve the state plan, and any modifications thereto, required by 223(a) of the Act
18 prior to submission to the Office of Juvenile Justice and Delinquency Prevention;
- 19 (3) Submit annual recommendations to the Governor and Legislature concerning the
20 functions of the ~~advisory group~~ Council of Juvenile Services and the status of the
21 state's compliance with the Act;
- 22 (4) Approve or disapprove grant applications and other funding requests submitted to the
23 Department of Corrections under §§ 1-15-27 to 1-15-31, inclusive, and assist with
24 monitoring grants and other fund awards;

- 1 (5) Assist the Department of Corrections in monitoring the state's compliance with the
2 Act;
- 3 (6) Study the coordination of the various juvenile intervention, prevention, treatment, and
4 rehabilitation programs;
- 5 (7) Study effective juvenile sentencing, adjudication, and diversion policies and
6 provisions;
- 7 (8) Make a special study of, and make an annual report to the Governor, the Unified
8 Judicial System, and the Legislature by June thirtieth of each year concerning, the
9 appropriate administration of and provision for children in need of supervision in this
10 state;
- 11 (9) Contact and seek regular input from juveniles currently under the jurisdiction of the
12 juvenile justice system; and
- 13 ~~(7)~~(10) Perform other such activities as determined by the Governor, the secretary of
14 the Department of Corrections, or the Council of Juvenile Services.